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U.S. DISTRICT COURT

EASTERN DISTRICT OF LA

JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

10 S. DISTRICT COURT

EASTERN DISTRICT COURT

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FOR ARE REDIGIAL PANEL ON MULTIDISTRICT LITIGATION

MULTIDISTRICT LITIGATION

IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION

(SEE ATTACHED SCHEDULE)

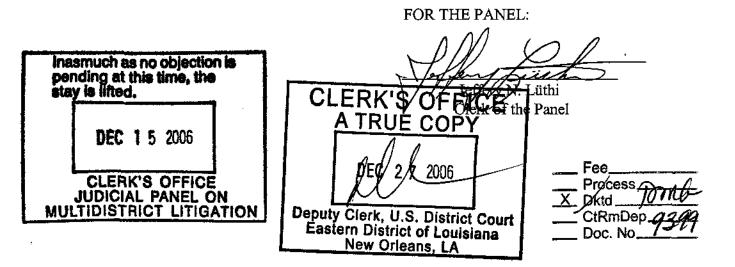
CONDITIONAL TRANSFER ORDER (CTO-76)

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 360 F.Supp.2d 1352 (J.P.M.L. 2005). Since that time, 5,171 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the <u>Rules of Procedure of the Judicial Panel on Multidistrict Litigation</u>, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.



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ALABAMA MIDDLE			
ALADAMA MIDDLE ALM-3 06-979	Clifford Bailey, et al. v. Merek & Co., Inc., et al.	VACATED 12/15/06	
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ALABAMA NORTHERN	• • • • • • • • • • • • • • • • • • • •		06 10071
ALN 1 06-2260	Junior Alidreage, et al v. Merck & Co., Inc., et al.		06-10971
ALN 1 06-2284	Wayne Watts, et al. v. Merck & Co., Inc.		06-10972
ALN 5 06-2248	Don Macmillan v. Merck & Co., Inc.		06-10973
ALN 7 06-2332	Dorothy Cantrell, et al. v. Merck & Co., Inc.	EDLA	06-10974
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AZ 2 06-2665	Marlene Ferguson, et al. v. Merck & Co., Inc.	EDLA	06-10975
CALIFORNIA CENTRAL			
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CAC 2 06-6816	Philip Hansen Bailey, etc. v. Merck & Co, Inc.		06-10978
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CAC 2 06-7007	William E. Hauser, etc. v. Merck & Co., Inc.		06-10980
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CAE 2 06-2284	Delphia Bell v. Merck & Co., Inc., et al.		06-10982
CAE 2 06-2285	Harry Jones v. Merck & Co., Inc., et al.		06-10983
CAE 2 06-2332	Norma Loomis v. Merck & Co., Inc.		06-10984
CAE 2 06-2344	Marva Johnson v. Merck & Co., Inc.		06-10985
CAE 2 06-2346	Carl Dudding v. Merck & Co., Inc.		06-10986
CAE 2 06-2348	Sandra Elliott v. Merck & Co., Inc.		06-10987
CAE 2 06-2349	Anh Devers v. Merck & Co., Inc.		06-10988
CAE 2 06-2350	Kenneth Tinkle v. Merck & Co., Inc.		06-10989
CAE 2 06-2351	Kenneth Debolt v. Merck & Co., Inc.		06-10990
CAE 2 06-2352	Betty Mesi v. Merck & Co., Inc.		06-10991
CAE 2 06-2354	Antonio Lourenco v. Merck & Co., Inc.		
CAE 2 06-2362	Karen Morris v. Merck & Co., Inc.	EDLA	06-10992 06-10993
CAE 2 06-2422	Adnell Stephens v. Merck & Co., Inc., et al.	EDLA	06-10994
CAE 2 06-2431	Donna Goncar v. Merck & Co., Inc., et al.		06-10995
CAE 2 06-2434	Richard McCullough v. Merck & Co., Inc., et al.	EDLA	06-10996
CAE 2 06-2471	Karin Barrett v. Merck & Co., Inc.	EDLA	06-10997
CAE 2 06-2472	Domingo Arcangles v. Merck & Co., Inc.	EDLA	06-10998
CAE 2 06-2473	Semen Fiskel v. Merck & Co., Inc.	EDLA	06-10999
CAE 2 06-2474	Al Kessler v. Merck & Co., Inc.	EDLA	06-11000

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EDLA 06-11043

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CO 1 06-2164	•	OSED 12/14/06	EDIN OO IIO40
CO 1 06-2165	Ronald Dooley, et al. v. Merck & Co., Inc.		EDLA 06-11047
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CONNECTICUT			
CT 3 06-1761	Frank Pescatello v. Merck & Co., Inc.	I	EDLA 06-11048
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FLORIDA MIDDLE			
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FLM 5 06-379	Lyle Moody v. Merck & Co., Inc., et al.		EDLA 06-11050
FLM 6 06-1667	Marian Jenkinson, etc. v. Merck & Co., Inc., et al.		EDLA 06-11051
FLM 8 06-1209	Barbara Jowers v. Merck & Co., Inc., et al.		EDLA 06-11052
FLM 8 06-1992	Robert Sidney Spann v. Merck & Co., Inc., et al.	· E	EDLA 06-11053
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FLORIDA SOUTHERN		_	
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FLS 2 06-14287	Veronica Clark-Atchinson v. Merck & Co., Inc., et a		
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FLS 2 06-14289	Lystine Fairweather, et al. v. Merck & Co., Inc., et a		
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OKE 6 06-466	Pamela Treadwell, etc. v. Merck & Co., Inc.	EDLA 06-11119
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TXW 106-870	Esther McConoghy v. Merck & Co., Inc., et al.	OPPOSED 12/11/06	
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